

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

<hr/> In re	x	Chapter 11
FIELDWOOD ENERGY, LLC, <i>et al.</i>	:	CASE NO. 20-33948 (MI)
Debtors.	:	(Jointly Administered)

SUPERIOR PERFORMANCE, INC.'S OBJECTION TO CONFIRMATION OF THE PLAN AND NOTICE OF ELECTION TO OPT OUT OF THIRD PARTY RELEASES

Superior Performance, Inc. (“SPI”) files this Objection to Confirmation of the Debtors’ Fourth Amended Joint Chapter 11 Plan of Reorganization (Doc. No. 1284, as may be amended) (“Plan”) and Notice of Election to Opt Out of Third Party Releases, and respectfully represents as follows:

Background

1. Prior to the Petition Date, SPI provided material, supplies, labor and services to the Debtors for the improvement of certain mineral leasehold interests held by the Debtors.
2. Having not been paid for such material, supplies, labor and services, SPI filed a proof of claim and perfected its vendor liens under applicable Louisiana and Alabama law. More specifically, SPI has perfected a lien on Green Canyon Block 40 in the amount of \$152,178.06 and on Mississippi Canyon Block 519 in the amount of \$32,776.18.
3. SPI has been in discussions with the Debtors to resolve SPI’s objections, however, no agreement has been reached at this time. In light of these discussions, the Debtors extended SPI’s deadline to submit a ballot on the Plan to June 4, 2021 and deadline to object to confirmation of the Plan to June 9, 2021.
4. On June 4, 2021, SPI submitted a ballot opting out of the third party release.

Objection and Notice of Opt Out

5. SPI objects to the Plan to the extent that the proposed releases are intended to release SPI's liens against Green Canyon Block 40 and/or Mississippi Canyon Block 519 without providing for payment, in full, of SPI's vendor lien claims.

6. SPI further objects to, and opts out of, the third party releases provided for in the Plan. Such releases are impermissible under the Bankruptcy Code and Fifth Circuit precedent.

WHEREFORE, Superior Performance, Inc. respectfully requests that its Objection be sustained, that its opt out of the third party releases be recognized, and such other and further relief be granted.

Dated: June 9, 2021

Respectfully submitted,

/s/ Sylvia Mayer
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Counsel for Superior Performance, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on June 9, 2021, I caused a copy of the forgoing document to be served via CM/ECF upon Debtors' counsel and those parties registered to receive such electronic notifications at the time of filing.

/s/ *Sylvia Mayer*

Sylvia Mayer